

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
Plaintiff)	
)	CR. No. 04-10290
)	
v.)	
)	
GABRIEL HERNANDEZ)	
Defendant)	
)	

DEFENDANT’S MOTION FOR RECOMMENDATION
FOR 500 HOUR DRUG PROGRAM

Now comes the Defendant through his undersigned attorneys and requests that the Court recommend the Defendant for the Bureau of Prisons (“BOP”) five hundred hour drug program.

Defendant was charged as a Felon in Possession of Firearm and Ammunition under 18 U.S.C. sec. 922(g)(1). Both the underlying felony used as basis for this charge as well as the felonies resulting in a fifteen year minimum sentence relate to Defendant’s possession and sale of heroin. Defendant sold heroin to support his personal habit. Virtually Defendant’s whole criminal history is a result of his use and abuse of heroin. Defendant admits he is addicted to heroin and would like to participate in a substance abuse program (See ¶ 79 of the PSR).

For these reasons the Defendant would respectfully request that this honorable Court recommend Defendant as a candidate for the BOP’s 500 hour drug program.

Respectfully submitted

Gabriel Hernandez

By his attorneys

/s/ ***Albert F. Cullen, Jr.***

BBO# 107900

/s/ ***Albert F. Cullen, III***

BBO# 561223

60 K Street, Boston, MA 02127

Dated: April 26, 2006

I, Albert F. Cullen, certify that I understand that all counsel will receive electronic notice of the electronic filing of this pleading.

/s/ **Albert F. Cullen, Jr.**

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